

SEVENTH DAY

TUESDAY, JUNE 9, 2009

Legislature met pursuant to adjournment.

President Wayne E. Zyra in the Chair.

ROLL CALL

Present — Legislators Adair, Andrews, Barker, Beebe, Bronson, Cassetti, Colby, Cruz, Daniele, Dobson, Driscoll, Esposito, Eckel, Gamble, Gumina, Haney, Hanna, Heider, Kaleh, LaFountain, McCann, O'Brien, Quatro, Tucciarello, Valerio, Yolevich, Zyra – 27

Absent – Legislators Lee and Lightfoot

Meeting formally opened. At the invitation of Legislator Carrie M. Anderws, Ministerial Intern Erin Gingrich, of First Unitarian Church of Rochester, delivered the invocation. The Pledge of Allegiance to the Flag was led by Legislator José A. Cruz.

APPROVAL OF MINUTES

Without objection, the journals of the sessions of Day 5 of 2009, May 12, 2009 and Day 6 of 2009, Special Meeting, May 27, 2009 were approved as submitted.

PETITIONS AND COMMUNICATIONS

PROCLAMATIONS

By the President of the Legislature — Wayne E. Zyra

Proclaimed Jointly with County Executive Maggie Brooks “Dr. Larry Tyree” for his invaluable service as interim president of Monroe Community College.

Read and Filed.

Proclaimed Jointly with County Executive Maggie Brooks and Legislators John G. (Jack) Driscoll and José A. Cruz “USA National Sled Hockey Team Day” in Monroe County and encourage all residents to recognize its observance.

Read and Filed.

Recognized “Ken Frearson” for his commitment to his community and to the environment; and for being recognized by the New York State Tree Farm System as 2008 Tree Farmer of the Year.

Read and Filed.

Recognized Jointly with Legislator Mary A. Valerio “Sandi and Lou Moneta” for founding, organizing, and carrying out The Extreme Hope Project.

Read and Filed.

Recognized Jointly with Legislators Robert J. Colby, Richard Yolevich and Mary A. Valerio “The Spencerport Friday Jazz Band and Jazz Ensemble” on a remarkable showing at the Heritage Music Festival.

Read and Filed.

Recognized Jointly with Legislators Robert J. Colby, Richard Yolevich and Mary A. Valerio “The Spencerport Vocal Jazz and The Women’s Choir” on a remarkable showing at the Heritage Music Festival.

Read and Filed.

Recognized Jointly with Legislator Travis R. Heider “The Bagel Bin Cafe” for exceptional service to the community and environment.

Read and Filed.

Recognized Jointly with Legislators Travis R. Heider and Paul E. Haney “Sister Seraphine Herbst” for her 50 years of service to the students of the School of the Holy Childhood and for more than 60 years of dedication to the Sisters of Saint Joseph.

Read and Filed.

Recognized Jointly with Vincent J. Esposito “Summerville Nursery School” for 50 years of outstanding achievement and educational service.

Read and Filed.

RECESS

President Zyra recessed the meeting to allow for four Public Hearings entitled...

“Approving An Increase And Improvement Of The Facilities Of The Rochester Pure Waters”. No speakers addressed the Legislature and the hearing concluded at 6:43 P.M.

“Approving An Increase And Improvement Of The Facilities Of The Irondequoit Bay South Central Pure Waters District”. No speakers addressed the Legislature and the hearing concluded at 6:44 P.M.

“Approving An Increase And Improvement Of The Facilities Of The Northwest Quadrant Pure Waters District”. No speakers addressed the Legislature and the hearing concluded at 6:45 P.M.

“Approving An Increase And Improvement Of The Facilities Of The Gates-Chili-Ogden Sewer District”. No speakers addressed the Legislature and the hearing concluded at 6:46P.M.

RECONVENING LEGISLATURE

President Zyra reconvened the recessed meeting of June 9, 2009 and proceeded under the Usual Order of Business.

FORMAL COMMITTEE REPORTS

NONE

PUBLIC FORUM

An Open Forum was conducted to allow speakers to address the Legislature. Three speakers addressed the Legislature on various subjects and the Open Forum concluded at 6:51 P.M.

RECESS

A recess was declared by President Zyra to allow for a meeting of the **Pure Waters Administrative Board**.

Note: Legislator Cruz left the chambers for the remainder of the meeting.

RECONVENING LEGISLATURE

President Zyra reconvened the recessed meeting of June 9, 2009 and proceeded under the Usual Order of Business.

Intro. 180
M. 39
26-0

Quatro/Bronson
Motion to Move the Agenda As A Whole Except for Item No.5

LOCAL LAWS

- | | | | |
|----|---|---------|--|
| 1. | Valerio &
LaFountain
Intro. 181 | 09-0163 | Enacting A Local Law Authorizing Ground Lease From Monroe County To State University Of New York On Behalf Of State University Of New York Empire State College For Development Of Educational Facility On Brighton Campus Of Monroe Community College
Recreation and Education Committee; May 26, 2009 – CV: 5-0
Ways and Means Committee; May 27, 2009 – CV: 11-0
<i>(For Introductory Purposes Only)</i> |
| 2. | Valerio &
LaFountain
Intro. 182
M. 40
26-0 | 09-0163 | Providing That Local Law (Intro. No. 181 Of 2009), Entitled ‘Authorizing Ground Lease From Monroe County To State University Of New York On Behalf Of State University Of New York Empire State College For Development Of Educational Facility On Brighton Campus Of Monroe Community College,’ Be Tabled |
| 3. | Valerio &
LaFountain
Intro. 183
Res. 139
26-0 | 09-0163 | Fixing A Public Hearing On Local Law (Intro. No. 181 of 2009), Entitled “ Enacting Local Law Authorizing Ground Lease From Monroe County To State University Of New York On Behalf Of State University Of New York Empire State College For Development Of Educational Facility On Brighton Campus Of Monroe Community College”
<i>(Public Hearing is scheduled for Tuesday, July 14, 2009 at 6:15 P.M.)</i> |
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MOTIONS, RESOLUTIONS AND NOTICES

4. Cassetti & LaFountain
Intro. 184
M. 41
26-0 09-0135 Providing That Resolution (Intro. No. 147 Of 2009), Entitled "Approving An Increase And Improvement Of Facilities In The Rochester Pure Waters District," Be Lifted From The Table

6. Cassetti & LaFountain
Intro. 185
Res. 140
26-0 09-0135 br. Resolution Authorizing The Issuance Of \$28,000,000 Bonds Of The County Of Monroe, New York, To Finance The Cost Of The Increase And Improvement Of The Facilities Of The Rochester Pure Waters District In And For Said County, And Superseding The Bond Resolution Adopted On May 13, 2008 (Resolution No. 98 Of 2008)
Environment and Public Works Committee; April 29, 2009 - CV: 7-0
Ways and Means Committee; April 29, 2009 - CV: 11-0

7. Cassetti & LaFountain
Intro. 186
M. 42
26-0 09-0137 Providing That Resolution (Intro. No. 150 Of 2009), Entitled "Approving An Increase And Improvement Of Facilities In The Irondequoit Bay South Central Pure Waters District," Be Lifted From The Table

8. Cassetti & LaFountain
Intro. 187
M. 43
26-0 09-0137 Providing That Resolution (Intro. No. 150 Of 2009), Entitled "Approving An Increase And Improvement Of Facilities In The Irondequoit Bay South Central Pure Waters District," Be Adopted
Environment and Public Works Committee; April 29, 2009 - CV: 7-0
Ways and Means Committee; April 29, 2009 - CV: 11-0

Intro. 150 Main Motion
Res. 141
26-0

9. Cassetti & LaFountain
Intro. 188
Res. 142
26-0 09-0137 br. Resolution Authorizing The Issuance Of \$ 16,500,000 Bonds Of The County Of Monroe, New York, To Finance The Cost Of The Increase And Improvement Of The Facilities Of The Irondequoit Bay South Central Pure Waters District In And For Said County, And Superseding The Bond Resolution Adopted On May 13, 2008 (Resolution No. 100 Of 2008)
Environment and Public Works Committee; April 29, 2009 - CV: 7-0
Ways and Means Committee; April 29, 2009 - CV: 11-0

10. Cassetti & LaFountain
Intro. 189
M. 44
26-0 09-0139 Providing That Resolution (Intro. No. 153 Of 2009), Entitled "Approving An Increase And Improvement Of Facilities In The Northwest Quadrant Pure Waters District," Be Lifted From The Table

11. Cassetti & LaFountain
Intro. 190
M. 45
26-0 09-0139 Providing That Resolution (Intro. No. 153 Of 2009), Entitled "Approving An Increase And Improvement Of Facilities In The Northwest Quadrant Pure Waters District," Be Adopted
Environment and Public Works Committee; April 29, 2009 - CV: 7-0
Ways and Means Committee; April 29, 2009 - CV: 11-0

Intro. 153 Main Motion
Res. 143
26-0

12. Cassetti & LaFountain
Intro. 191
Res. 144
26-0
09-139 br. Resolution Authorizing The Issuance Of \$12,000,000 Bonds Of The County Of Monroe, New York, To Finance The Cost Of The Increase And Improvement Of The Facilities Of The Northwest Quadrant Pure Waters District In And For Said County, And Superseding The Bond Resolution Adopted On May 13, 2008 (Resolution No. 102 Of 2008)
Environment and Public Works Committee; April 29, 2009 - CV: 7-0
Ways and Means Committee; April 29, 2009 - CV: 11-0

13. Cassetti & LaFountain
Intro. 192
M. 46
26-0
09-0141 Providing That Resolution (Intro. No. 156 Of 2009), Entitled "Approving An Increase And Improvement Of Facilities In The Gates-Chili-Ogden Sewer District," Be Lifted From The Table

14. Cassetti & LaFountain
Intro. 193
M. 47
26-0
09-0141 Providing That Resolution (Intro. No. 156 Of 2009), Entitled "Approving An Increase And Improvement Of Facilities In The Gates-Chili-Ogden Sewer District," Be Adopted
Environment and Public Works Committee; April 29, 2009 - CV: 7-0
Ways and Means Committee; March 26, 2008 - CV: 9-0

Intro. 156
Res. 145
26-0
Main Motion

15. Cassetti & LaFountain
Intro. 194
Res. 146
26-0
09-0141 br. Resolution Authorizing The Issuance Of \$11,000,000 Bonds Of The County Of Monroe, New York, To Finance The Cost Of The Increase And Improvement Of The Facilities Of The Gates-Chili-Ogden Sewer District In And For Said County, And Superseding The Bond Resolution Adopted On May 13, 2008 (Resolution No. 104 Of 2008)
Environment and Public Works Committee; April 29, 2009 - CV: 7-0
Ways and Means Committee; March 26, 2008 - CV: 9-0

16. Tucciarello & LaFountain
Intro. 195
Res. 147
26-0
09-0158 Approving Submission Of Substantial Amendment To 2008 Annual Action Plan For Housing And Community Development In Suburban Monroe County For Submission To U.S. Department Of Housing And Urban Development For Community Development Block Grant Program
Planning and Economic Development Committee; May 26, 2009 – CV: 5-0
Ways and Means Committee; May 27, 2009 – CV: 11-0

17. Tucciarello & LaFountain
Intro. 196
Res. 148
26-0
09-0159 Approving Submission Of 2009 Annual Action Plan For Housing And Community Development In Suburban Monroe County And Grant Submission To U.S. Department Of Housing And Urban Development
Planning and Economic Development Committee; May 26, 2009 – CV: 5-0
Ways and Means Committee; May 27, 2009 – CV: 11-0

18. Tucciarello, Valerio, Barker, Colby, Daniele, Cassetti, Hanna & LaFountain
Intro. 197
09-0160 Adopting 2010-2015 Capital Improvement Program
Planning and Economic Development Committee; May 26, 2009 – CV: 5-0
Recreation and Education Committee; May 26, 2009 – CV: 5-0
Public Safety Committee; May 26, 2009 – CV: 8-0
Transportation Committee; May 27, 2009 – CV: 9-0
Intergovernmental Relations Committee; May 27, 2009 – CV: 6-0
Environment and Public Works Committee; May 27, 2009 – CV: 7-0
Human Services Committee; May 26, 2009 – CV: 7-0
Ways and Means Committee; May 27, 2009 – CV: 11-0
(For Introductory Purposes Only)

19. Tucciarello, Valerio, Barker, Colby, Daniele, Cassetti, Hanna & LaFountain
Intro. 198
M. 48
26-0
09-0160 Providing That Resolution (Intro. No. 197 Of 2009), Entitled "Adopting 2010-2015 Capital Improvement Program" Be Tabled
20. Tucciarello, Valerio, Barker, Colby, Daniele, Cassetti, Hanna & LaFountain
Intro. 199
Res. 149
26-0
09-0160 Fixing Public Hearing For Adoption Of 2010 - 2015 Capital Improvement Program
(Public Hearing is scheduled for Tuesday, July 14, 2009 at 6:16 P.M.)
21. Barker & LaFountain
Intro. 200
Res. 150
26-0
09-0161 Accepting Grant From New York State Department Of Agriculture And Markets For Petroleum Quality Testing Program
Public Safety Committee; May 26, 2009 – CV: 8-0
Ways and Means Committee; May 27, 2009 – CV: 11-0
22. Barker & LaFountain
Intro. 201
Res. 151
26-0
09-0162 Authorizing Contract With Catholic Family Center For Provision Of Girls Circle Curriculum To Adolescent Girls In The Community
Public Safety Committee; May 26, 2009 – CV: 8-0
Ways and Means Committee; May 27, 2009 – CV: 11-0
23. Daniele, Barker & LaFountain
Intro. 202
Res. 152
26-0
09-0164 Authorizing Intermunicipal Agreement With City Of Rochester For Firearm Instructor
Intergovernmental Relations Committee; May 27, 2009 – CV: 6-0
Public Safety Committee; May 26, 2009 – CV: 8-0
Ways and Means Committee; May 27, 2009 – CV: 11-0
24. Hanna & LaFountain
Intro. 203
Res. 153
26-0
09-0165 Authorizing License Agreement With New York Chiropractic College For Use And Occupancy Of Clinic Space At Monroe Community Hospital
Human Services Committee; May 26, 2009 - CV: 7-0
Ways and Means Committee; May 27, 2009 – CV: 11-0
25. Hanna & LaFountain
Intro. 204
Res. 154
26-0
09-0166 Amending Resolution 215 Of 2008 To Accept Additional Funding From New York State Department Of Health For Public Health Campaign Program
Human Services Committee; May 26, 2009 - CV: 7-0
Ways and Means Committee; May 27, 2009 – CV: 11-0
26. Hanna & LaFountain
Intro. 205
Res. 155
26-0
09-0167 Amending Resolution 238 Of 2008 To Accept Additional Funding From New York State Department Of Health For Tobacco Enforcement Program
Human Services Committee; May 26, 2009 - CV: 7-0
Ways and Means Committee; May 27, 2009 – CV: 11-0

27. Hanna & LaFountain
Intro. 206
Res. 156
26-0 09-0168 Amending Resolution 290 Of 2008 To Accept Additional Funding From New York State Department Of Health For Primary Prevention Of Childhood Lead Poisoning Pilot Program
Human Services Committee; May 26, 2009 - CV: 7-0
Ways and Means Committee; May 27, 2009 – CV: 11-0

28. Hanna & LaFountain
Intro. 207
Res. 157
26-0 09-0169 Amending Resolution 11 Of 2009 To Accept Additional Funding From New York Department Of Health For Healthy Neighborhoods Program
Human Services Committee; May 26, 2009 - CV: 7-0
Ways and Means Committee; May 27, 2009 – CV: 11-0

29. Hanna & LaFountain
Intro. 208
Res. 158
26-0 09-0170 Accepting Grant From New York State Office Of Temporary And Disability Assistance For Intensive Case Services For Noncompliant Families Plan
Human Services Committee; May 26, 2009 - CV: 7-0
Ways and Means Committee; May 27, 2009 – CV: 11-0

30. Cassetti & LaFountain
Intro. 209
Res. 159
26-0 09-0171 Authorizing Contracts With New York Environmental Technologies, Inc. And Royal Environmental, Inc. To Provide Hazardous Materials Management Term Services
Environment and Public Works Committee; May 27, 2009 - CV: 7-0
Ways and Means Committee; May 27, 2009 – CV: 11-0

31. Cassetti & LaFountain
Intro. 210
Res. 160
26-0 09-0173 Authorizing Contract With O'Brien and Gere Engineers, Inc. For Professional Engineering Services For Rochester Pure Waters District's Frank E. VanLare Wastewater Treatment Aeration Improvements Project
Environment and Public Works Committee; May 27, 2009 - CV: 7-0
Ways and Means Committee; May 27, 2009 – CV: 11-0

32. Cassetti & LaFountain
Intro. 211
Res. 161
26-0 09-0175 Authorizing Contract With Pictometry International LLC To Provide Digital Aerial Photography And Image Management Software
Environment and Public Works Committee; May 27, 2009 - CV: 7-0
Ways and Means Committee; May 27, 2009 – CV: 11-0

33. Colby & LaFountain
Intro. 212
Res. 162
26-0 09-0177 Accepting Grant From Federal Highway Administration; Awarding Contract For Engineering Services With FRA Engineering, P.C. Related To Monroe County Audible-Tactile Pedestrian Signal Device Study
Transportation Committee; May 27, 2009 – CV: 9-0
Ways and Means Committee; May 27, 2009 – CV: 11-0

34. Colby & LaFountain
Intro. 213
Res. 163
26-0 09-0178 Accepting Grant From Federal Highway Administration; Awarding Contract For Engineering Services With FRA Engineering, P.C. Related To Monroe County Vertical Curve Safety Study
Transportation Committee; May 27, 2009 – CV: 9-0
Ways and Means Committee; May 27, 2009 – CV: 11-0

35. Colby & LaFountain
Intro. 214
Res. 164
26-0 09-0179 Authorizing Contract With Crane-Hogan Structural Systems, Inc. For Replacement Of Stottle Road Bridge At Black Creek In Town Of Chili
Transportation Committee; May 27, 2009 – CV: 9-0
Ways and Means Committee; May 27, 2009 – CV: 11-0

36. Colby, Daniele & LaFountain
Intro. 215
Res. 165
26-0 09-0180 Authorizing Contract With Crane-Hogan Structural Systems Inc. For Construction Services; Authorizing Intermunicipal Agreement With Town Of Parma For Wilder Road Bridge At Salmon Creek Project In Town Of Parma
Transportation Committee; May 27, 2009 – CV: 9-0
Intergovernmental Relations Committee; May 27, 2009 – CV: 6-0
Ways and Means Committee; May 27, 2009 – CV: 11-0

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| 37. Colby,
Daniele &
LaFountain
Intro. 216
Res. 166
26-0 | 09-0180 br. | Resolution Authorizing The Issuance Of \$682,000 Bonds Of The County Of Monroe, New York, To Finance The cost Of The Rehabilitation Of Wilder Road Bridge Over Salmon Creek (BIN 3317810), In and For Said County, And Superseding The Bond Resolution Adopted On December 9, 2008 (Resolution No. 326 Of 2008) |
| 38. LaFountain &
Barker
Intro. 217
Res. 167
26-0 | 09-0181 | Authorizing Sale Of County Owned Tax Foreclosure Property In Town Of Gates
Ways and Means Committee; May 27, 2009 – CV: 11-0 |
| 39. LaFountain &
Barker
Intro. 218
Res. 168
26-0 | 09-0182 | Mortgage Tax Distribution
Ways and Means Committee; May 27, 2009 – CV: 11-0 |
| 40. LaFountain &
Barker
Intro. 219
Res. 169
26-0 | 09-0183 | Directing The County Treasurer To Cause To Be Published And Printed In The Rochester Democrat And Chronicle The List Of Lands Charged With Unpaid Taxes, Pursuant To Chapter 441 Of The Laws of 1938, As Amended
Ways and Means Committee; May 27, 2009 – CV: 11-0 |
| 41. Daniele,
Barker &
LaFountain
Intro. 220
Res. 170
26-0 | 09-0184 | Authorizing Intermunicipal Agreement With City Of Rochester For Downtown Patrol Services
Intergovernmental Relations Committee; May 27, 2009 – CV: 6-0
Public Safety Committee; May 26, 2009 – CV: 8-0
Ways and Means Committee; May 27, 2009 – CV: 10-1 |

Matter of Urgency

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| 42. Hanna &
Yolevich
Intro. 221
Res. 171
26-0 | 09-0219 | Confirming Nominations For Young Citizen Of The Year Award And Willie Lightfoot Youth Advocate Of The Year Award
Matter Of Urgency |
| 5. Cassetti,
LaFountain &
Haney
Intro. 222
M. 49
26-0

Intro. 147
Res. 172
26-0 | 09-0135 | Providing That Resolution (Intro. No. 147 Of 2009), Entitled “Approving An Increase And Improvement Of Facilities In The Rochester Pure Waters District,” Be Adopted
Environment and Public Works Committee; April 29, 2009 - CV: 7-0
Ways and Means Committee; April 29, 2009 - CV: 11-0

Main Motion |

UNFINISHED BUSINESS

NONE

RECOGNITION OF MONROE COUNTY LEGISLATOR

Legislator Douglas B. Dobson was presented with a plaque to commemorate his contributions to the Legislature and Monroe County during his respective tenure. Legislator Dobson delivered his farewell remarks and was greeted with a standing ovation. County Executive Maggie Brooks also thanked him for his invaluable service to Monroe County government and its citizens.

Upon Motion by Legislator E. Daniel Quatro, the Legislature adjourned at 7:03 P.M. until Tuesday, July 14, 2009 at 6:00 p.m.

LISA POLITO NICOLAY
Clerk of the Legislature